Filed 12/11/2007

Page 1 of 1 2003 LML

Brieant, F

| UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK | | |
|--|---------|----------------------------------|
| JOSEPH COSENTINO, | | STIPULATION OF DISCONTINUANCE |
| Plais | ntiff, | WITH PREJUDICE |
| - against- | | 07-Civ3410 (CLB)(GAY) |
| VILLAGE OF MT. KISCO, NEW YORK, | | |
| Defe | endant. | |
| | ~ X | |

IT IS HEREBY STIPULATED by and between the attorneys for the parties in the above-referenced matter that the complaint is withdrawn and the action discontinued with prejudice. Each side shall bear its own costs and fees.

Dated: Garden City, New York November 28, 2007

Jonathan Lovett, Esq. (JL 4854) LOVERT & GOULD, LLP Attorneys for Plaintiff 222 Bloomingdale Road White Plains, New York 10605 (914) 428-8401

Christopher T. Kurtz, Esq. (CK 9187) BOND SCHOENECK & KING, PLLC Attorneys for Defendant 1399 Franklin Avenue Garden City, New York 11530 (516) 267-6300

SO ORDERED

58499.1 11/28/2007

Cliner Brieant U.S.D.J. dated Deember 7, 2007